

Council Minutes
August 24, 2016

6:45 pm – Public Hearing

- I.** Call to Order: 6:45 pm
 - II.** Roll Call: Mayor Rudy Sutton, CM John Ness, CW Lorraine Gorman, CM Jermaine Hatton, TA Fred Townsend, TE Owen Hyne, TC Cathy Beaver
 - III.** Pledge of Allegiance: Pledge was said.
 - IV.** Final reading of Ordinance No. 16-07, Change of Land Use at 307 Main Street
 - CM Hatton motioned, CM Ness seconded with unanimous vote to read by title only.
 - CM Hatton read Ordinance No. 16-07 by title and read the synopsis. He explained this will change the zoning at 307 Main Street from commercial to residential zoning.
 - A resident in attendance stated they are in favor of the re-zoning.
 - CM Hatton motioned, CM Ness seconded with unanimous vote to move the ordinance to the Council meeting for possible adoption.
 - V.** Final reading of Ordinance No. 16-08, Adoption of new Zoning Map to show Residential Zoning at 307 Main Street
 - CM Hatton motioned, CM Ness seconded with unanimous vote to read by title only.
 - CM Hatton read the title and synopsis of Ordinance No. 16-08 and explained it will update the zoning map to reflect the zoning change at 307 Main Street.
 - No discussion.
 - CM Hatton motioned, CM Ness seconded with unanimous vote to move the ordinance to the Council meeting for possible adoption.
 - VI.** Adjournment: CM Hatton motioned, CM Ness seconded with unanimous vote to adjourn at 6:52 pm.
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7:00 pm - Meeting

- I.** Call to Order: 7:00 pm
- II.** Opening Ceremonies
 - a. Roll Call: Mayor Rudy Sutton, CM John Ness, CW Lorraine Gorman, CM Jermaine Hatton, CW Cindy Cook (arrived 8:22 pm), TA Fred Townsend, TE Owen Hyne, TM Dawson Green, TC Cathy Beaver
 - b. Recognition of Visitors: 2
 - c. Pledge of Allegiance: Pledge was said.
 - d. Announcements: Town Hall will be closed for Labor Day on September 5, 2016.
- III.** Additions/Deletions to Published Agenda - none
- IV.** Mayor's Report
 - a. With the extreme storms we have been having, Main Street has had some flooding issues, really bad by Railroad Avenue. Would like to discuss with Council ways to fix this.
 - b. TM Green said the storms have been extreme and with the system which is shallow and flat, the drains can't handle that much water. RVB did a survey several years ago. By Railroad Avenue we will have to involve DelDot and the Railroad. Our infrastructure is designed for a 10 year storm plan and we have had more rain that they can handle. It is an old system.
- V.** Reports
 - a. Fred Townsend III, Town Attorney
 - Have primarily worked on the fee ordinance since we last met. TM Green painstakingly put all these fees together, will be introduced later in the meeting. Believe this is the only way this can be done. Propose we introduce a new chapter in the code for fees, may find conflicting language in the codes later that Council will have to vote to strike.
 - Have some zoning issues we are trying to work through for a property on Cannery Lane that is supposed to be sold in September.
 - CW Gorman clarified this is the Suppi property.
 - TM Green asked Council if they have had a chance to review the fee schedule. Don't believe some of the businesses should be mentioned and feel some of the fees should be raised. CW Gorman and I have discussed at length but ask Council to do this now so it can be done and review in the future prior to budget time.
 - b. Owen Hyne, Town Engineer
 - TVI – developer posted bond and should start developing Phase 3b soon.
 - TVII – Phase 4d construction continues.
 - The utility pole at the intersection of Gray Street is a support pole for a pole across the street and the new pole has been put up. Will call them again to remove as soon as possible. It is holding Chesapeake up from running the gas line.

- Clean up needs done in some areas of TVII West, almost done building.
- CM Hatton asked to have coverings removed from the storm drains also.
- 141 Main Street – Affordable Contracting needs to finish a few more things and they will be done with the renovation of the Town Hall. Site work – curbing along the front, curb looks good but is much too thin, have brought it up with the contractor. Should be 18 inches tall and road comes up halfway. Makes it sturdy so it lasts longer. Curb now isn't tall enough, not the entire curb but sections of it.
- CM Ness asked if the Town inspects his work as he does it.
- TE Hyne said he doesn't show up for work when he says he will, comes when we aren't aware of it.

Can't inspect that way.

- Bailey's keeps asking when Suppi will be done so they can lay sod. Every time it rains we have dirt running in the road.
- Finley Street – have started nailing down where Townsend Station ends and the Town property starts.
- CM Ness stated Suppi has been driving a mini excavator down Main Street instead of hauling it, goes about 1 mile per hour and backs traffic up in both directions. TE Hyne said he will notify them that they have to haul the machine.
- CM Hatton asked where things stand with Suppi, are we at the point of no return yet? At our last meeting we discussed giving them a 10 day notice to be done.
- TE Hyne said Suppi didn't show up for the last scheduled meeting so he hasn't talked to them. They only have a little bit of concrete left to do, some paving, signage and fix the messed up curb. Should be less than a week of work.
- CM Hatton said this is ridiculous; it has to be done by the parade.
- A resident added that this place is the joke of the Town; it is taking so long to do.
- TE Hyne said it will be addressed by the end of the week.
- Mayor Sutton stated if we hire another contractor, it will take a while to get the bid out and hire someone. It won't be done by the end of September. The amount should come under the pricing we put out to bid and we could piece it out to get it done.
- TE Hyne stated what is left to be done would cost under \$50,000. He added Council should talk to TA Townsend about cancelling Suppi's contract legally.
- After a lengthy discussion, CM Hatton motioned, CM Ness seconded with unanimous vote to terminate Suppi's contract and get bids from contractors to enable Council to vote at the next meeting.
- CM Hatton also motioned, CM Ness seconded to have Bailey's fill in around the curb on Main Street and put barriers up when Suppi takes theirs down.

c. Dawson Green, Town Manager

- Sent email to Peter Hack to move forward with the signage for the railroad no parking on Main Street.
- Asked Council if they have made any decisions about the streetlights, cost to the Town and different options.
- TE Hyne said Rob Allen emailed Delmarva for numbers to convert the lights and they will pay to have it done.
- CM Hatton said the conversion of the streetlights is very expensive and Delmarva may not have the LED lighting yet to meet our standards. It would make more sense for the Town to not take the street lights; developments should keep the street lights and the homeowner's associations pay for them. We can also go to the homeowners association in Townsend Station and ask them to take the lights back. We will be responsible for all the roads. Town can't afford all the lights and the roads. The whole Town shouldn't have to pay for the development lights.
- TM Green said he will set a meeting up with Sappertstein and Rob Allen, Tony and Kershaw to discuss this.
- Mayor Sutton stated we need to get the cost of solar panels but the Town can't take on the full cost of the street lights.
- Mayor Sutton asked TM Green to get the cost of crusher run to put under the Konox boxes at Finley Street. He also asked TM Green to call and schedule street sweeping on Main Street prior to the parade.
- CW Gorman asked why the Town can't sweep the street for the parade, we used to do it.
- TM Green said he doesn't want the liability of a car being hit.
- CW Gorman asked if we received any response for an IT provider. She also asked if there were a resolution yet on emailing people with an AOL address.
- TM Green said it was advertised and 6 people called but only one put in a bid. He said he will call AOL again.
- Mayor Sutton asked Council to all send names of IT companies/people they know to TM Green so he can call them to see if interested in submitting a bid.
- TM Green said Mark from Iron Source doesn't have time to clean the flag pole but said we can use his boom. Mayor Sutton said to get the boom right away and he will go up and clean the pole.

VI. Committee Reports

- a. Finance: Chair – CM Jermaine Hatton
 - Re-Introduction of Ordinance No. 16-05, Fee Schedule
 - a) If approved, this ordinance will establish a fee schedule. Would like to have a public hearing on 9/7/16 and have Council consider adopting the ordinance in the Council meeting to follow the public hearing.
 - b) Our new Finance Clerk starts work on 8/29/16.
 - c) The new workman's comp bill has gone down by 35% because more members have joined. This takes place 9/1/16 through the end of August 2017 and amounts to \$2,600 in savings.
 - d) In the FY 2016-2017 budget, we budgeted for 24 new homes to be built and already have 12.
 - e) Mayor Sutton asked where we stand with turning payroll over to an outside vendor.
 - f) CM Hatton said per Debbie Horn's recommendation, it should be done in the 4th quarter.
- b. Public Works: Chair - Mayor Rudy Sutton
 - Discussion/consider approving change of scope #2 for RVB services for the Town Hall project
 - a) This change is based on additional hours needed to oversee the Town Hall project. Suppi is way over schedule; he has caused this. We have been accumulating liquidated damages.
 - b) CM Hatton asked if this can be back billed to Suppi since it is their fault.
 - c) After a long discussion, CM Ness motioned, CM Hatton seconded with unanimous vote to approve the change of scope for RVB in the amount of \$6,900.
 - Discussion/consider approving additional work added to Bailey's Landscaping contract
 - a) The additional cost of the contract for Bailey's would be \$3,350. The money will come from liquidated damages against Suppi.
 - b) CM Ness motioned, CW Gorman seconded with unanimous vote to approve the additional cost of \$3,350 for Bailey's contract.
 - c) TE Hyne added the neighbor's property will have sod and finish grading provided by Baileys.
- c. Land Use & Development: Co-Chairs – CM Jermaine Hatton & CW Lorraine Gorman
 - Consider adopting Ordinance No. 16-07 – Change of Land Use at 307 Main Street
 - a) CM Hatton motioned, CM Ness seconded with unanimous vote to approve adopting Ordinance No. 16-07.
 - Consider adopting Ordinance No. 16-08 – Adoption of new Zoning Map to show Residential Zoning at 307 Main Street
 - a) CM Hatton motioned, CM Ness seconded with unanimous vote to approve adopting Ordinance No. 16-08.
 - b) CM Hatton asked Cathy to call the planning commissioners to see when they can meet for an organizational meeting to pick a chair and approve the bylaws. TA Townsend and TE Hyne will also attend the meeting.
- d. Public Safety: Chair – CM John Ness
 - We will have state police support for the fair and parade. Still need traffic control volunteers.
- e. Community Relations: Chair – CW Cindy Cook
 - At the last meeting it was suggested we have a community clean-up day prior to the fair. Have sent emails out trying to recruit volunteers.
- f. Parks & Recreation: Chair – CW Lorraine Gorman
 - Skate Park addition
 - a) Several meetings ago Mr. Banks came to a meeting to discuss putting in an addition at the skate park in honor of his grandson at no cost to the Town. Have talked to 3 skate park companies but all are leery about coming in when we have someone else's equipment. American ramp did the current park and their price for the jersey barrier is cheaper than any bids. It is very expensive, weighs 6000 pounds, doesn't have to be mounted but we will need a forklift to lift it off the truck and place it in the skate park. Have room for it and American ramp drew where it should be. All expenses are on the family. Would like Council to look and see if they approve of the piece. The Banks family would like to put a plaque on the new piece, know we don't want the park to be a memorial, but would like to know how Council feels.
 - b) Mayor Sutton said he is fine with the piece.
 - c) CM Hatton said it is concrete and will draw graffiti. The Town will have to pay to clean it. Need to let the Banks know it will end up with graffiti. He added Council has already set precedence for plaques and agreed to not have them.
 - d) CW Gorman said she will let them know. Kids at the park seem to have a lot of respect for Logan Banks.
 - e) After a short discussion, all agreed the jersey barrier would be fine but no plaque would be permitted.

- NWF Update
 - a) The State of Delaware is on the cutting edge of environmental protection. There are 74 new members in the state.
 - b) 100 Mayors have now taken the Monarch Pledge.
- Upcoming Events
 - a) Town Parade and Fair – September 24, 2016
 - b) Approximately 60 vendors have registered.
 - c) We have 25 parade participants registered and am optimistic we will have more cars this year.
 - d) There won't be a band in the parade this year – none can attend due to prior engagements.
 - e) The State Police have confirmed they will be doing free fingerprinting again this year.
 - f) WXCY radio will be at the fair doing a live show.
 - g) Sponsorships are coming in.
 - h) Desperately need volunteers, have contacted the honor society's at the schools, waiting to hear back.

VII. Citizens Comments & Participation: none

VIII. Motion to Recess for Executive Session: 8:33 pm – CM Ness motioned, CM Hatton seconded with unanimous vote.

IX. Motion to Convene Executive Session:

- a. In accordance to 29 Del. C. §10004 (b) (9) the Town Council will be meeting in executive session to discuss personnel matters.

XI. Motion to close Executive Session & Re-Convene Mid-Month Meeting:

XII. Adjournment:
